



Order Filed on July 22, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid & Crane LLC

Attorneys for Secured Creditor

10700 Abbott's Bridge Rd., Suite 170

Duluth, GA 30097

Telephone No.: 973-575-0707 (local)

Telephone No.: 561-241-6901 (main)

Harold Kaplan (HK0226)

In Re:

Alfredo F. Chao,

Debtor.

Chris Anne Chao,

Joint Debtor.

Case No.: 18-24434-VFP

Chapter: 13

Hearing Date: July 16, 2020

Judge: Vincent F. Papalia

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF
FROM THE AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: July 22, 2020

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Secured Creditor: Selene Finance, LP as attorney in fact for VRMTG Asset Trust

Secured Creditor's Counsel: Robertson, Anschutz, Schneid & Crane LLC

Debtors' Counsel: Javier L. Merino, Esq.

Property Involved ("Collateral"): 2701 Palisade Avenue, Union City, NJ 07087

Relief sought:

- ☒ Motion for relief from the automatic stay
- ☐ Motion to dismiss
- ☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:
- The Debtor is overdue for 5 months from 03/01/2020 through 07/01/2020.
 - The Debtor is overdue for 5 payments from 03/01/2020 through 07/01/2020 at \$2,638.29 per month.
 - ☐ The Debtor is assessed for _____ late charges at \$ _____ per month.

Funds Held In Suspense \$1,718.08

Total Arrearages Due \$11,473.37

2. Debtor must cure all post-petition arrearages, as follows:
- Beginning on 08/01/2020, regular monthly mortgage payments shall continue to be made in the amount of \$2,638.29 per month.
 - Beginning on 07/15/2020, monthly cure payments shall be made in the amount of \$1,912.23 for 5 months. A 6th and final payment in the amount of \$1,912.22 shall be made on or before 12/15/2020 to cure the default in full.

3. Payments to the Secured Creditor shall be made to the following address(es):

■ Regular monthly payment: Selene Finance LP
9990 Richmond Ave, Suite 400 South
Houston, TX 77042

■ Monthly cure payment: Selene Finance LP
9990 Richmond Ave, Suite 400 South
Houston, TX 77042

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

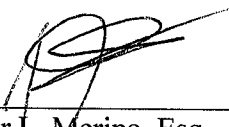
The fees and costs are payable:

- Through the Chapter 13 plan.

□ To the Secured Creditor within _____ days.

□ Attorneys' fees are not awarded.

The undersigned hereby consent to the form and entry of the foregoing order.



Javier L. Merino, Esq.
Attorney for Debtor(s)

Date: 07/08/2020

/s/ Harold Kaplan

Harold Kaplan, Esq.
Attorney for Secured Creditor
Date: 8/8/2020